

Serial No. 10/751,057

Page 6

REMARKS

Claims 1- 16 are rejected under 35 U.S.C. § 102(b).

Applicant respectfully traverses all the outstanding rejections and requests reconsideration and withdrawal thereof in view of the above amendments and following remarks.

Amendments to the Claims

The claims have been amended to correct informalities.

Therefore no new matter has been added.

No amendment was made for the purpose of narrowing the scope of any claim, unless Applicant had argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Serial No. 10/751,057

Page 7

Claims Objections

Claims 1, 2, 6, 8, 9, 15 and 16 are objected to based on informalities. The claims have been amended in accordance with Examiner's suggestions.

Claim Rejections - 35 USC § 102

The Office Action rejects, under 35 U.S.C. § 102(b), Claims 1-16 over U.S. Patent No. 4,831,373 Hess (HESS).

In regard to independent claim 1, and similarly to independent claims 13 and 16 and the claims that depend therefrom, contrary to the Examiner's statement that all elements are disclosed by HESS, receiving a notification, on a control channel associated with the second carrier frequency, of the start of a data session on the second carrier frequency and camping on the second carrier frequency is not; sending a start of data session notification message on a plurality of control channels, at least one of which is associated with the second carrier frequency is not; and broadcasting over a plurality of multicast control channels (MCCH's), a notification of the data session, prior to the start of the data session over the first frequency and camping on a second frequency associated with at least one MCCH of a plurality of MCCH's is not. The rejection is therefore unsupported by the art.

Reconsideration and withdrawal of the rejection of independent claims 1, 13 and 16, and the claims that depend therefrom, under 35 U.S.C. § 102(b) as being anticipated by HESS is respectfully requested.

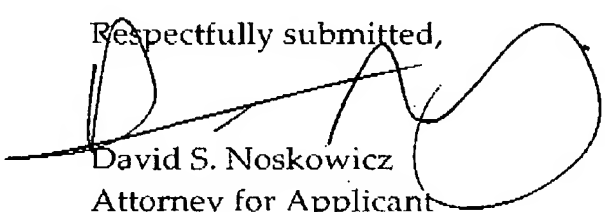
Serial No. 10/751,057

Page 8

CONCLUSION

The application, and in particular claims 1-16, is in condition for allowance and a favorable response at an early date is earnestly solicited. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact Applicants' representative at the telephone number indicated below. Please charge any fees associated herewith, including extension of time fees, to **Deposit Account 502117.**

Respectfully submitted,



David S. Noskowicz
Attorney for Applicant
Registration No. 55,503

Dated: 19 August 2005

Phone No. (847) 523-2333

Fax No. (847) 523-2350

Please send correspondence to:
Motorola, Inc.
Intellectual Property
600 North U.S. Highway 45
Libertyville, IL 60048